



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No.: **DEX-0214**

Inventors: **Macina et al.**

Serial No.: **09/909,567**

Filing Date: **July 20, 2001**

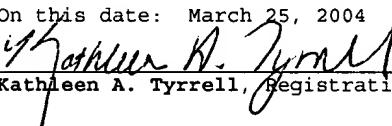
Examiner: **Carolyn L. Smith**

Group Art Unit: **1631**

Title: **Compositions and Methods Relating to Lung Specific Genes**

I, Kathleen A. Tyrrell, Registration No. 38,350, certify that this correspondence is being deposited with the U.S. Postal Service as First Class mail in an envelope addressed to the Commissioner for Patents P.O. Box 1450, Alexandria, VA 22313-1450

On this date: March 25, 2004



Kathleen A. Tyrrell, Registration No. 38,350

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

(xx) In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified

application, within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, no additional fee is required.

- () In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, therefore:
 - () Certification in Accordance with §1.97(e) is attached hereto; or
 - () Authorization to charge Deposit Account No. 50-1616 the fee of \$180.00 as set forth in §1.17(p) is provided.
- () In accordance with §1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311 but before the payment of the Issue Fee, therefore included are: Certification in Accordance with §1.97(e); Petition Requesting Consideration of the Information Disclosure Statement; and the fee of \$130.00 as set forth in §1.17(I)(1).

(xx) Copies of each of the references listed on the attached Form PTO-1449 (modified) are enclosed herewith.

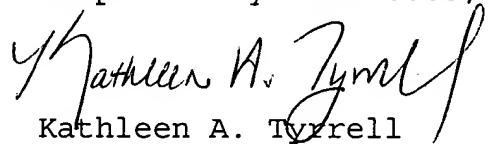
() In accordance with §1.98(d), copies of some or all of the references listed on the attached Form PTO-1449 (modified) are not enclosed herewith because they were previously submitted to the U.S. Patent and Trademark Office in prior application Serial No. _____, filed _____, for which a claim for priority under 35 U.S.C. §120 has been made in the instant application.

Please charge any deficiency or credit any overpayment to Deposit Account No. 50-1619. This form is submitted in duplicate.

() The relevance of the listed references in a foreign language is as stated in the specification at pages @@.

(xx) All listed references are in the English language with the exception of EB for which an English Abstract is provided.

Respectfully submitted,



Kathleen A. Tyrrell
Registration No. 38,350

Date: March 25, 2004

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MAR 29 2004

Form PTO-1449 Modified
List of Patents and Publications
Cited by Applicant
(Use several sheets if necessary)

U.S. Department of Commerce

Docket No.
DEX-0214

Sheet 01 of 03

Applicant
Macina et al.

Filing Date
July 20, 2001

U. S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

Examiner Initial	Document No.	Date	Country	Translation YES	NO
EB	WO 95/14772	1-6-95	Japan	English Abstract	
EC	WO 99/36550	22-7-99	PCT	x	
ED	EP 1 293 569 A2	19-3-03	EPO	x	
EF	WO 02/08278 A2	31-1-02	PCT	x	
EG	WO 01/12659 A3	22-2-01	PCT	x	
EXAMINER			DATE CONSIDERED		



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Form PTO-1449 Modified
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Applicant
Macina et al.

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U. S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

Examiner Initial		Document No.	Date	Country	Translation YES	NO
	EH	WO 02/029086 A3	11-4-02	PCT	x	
	EI	WO 00/61756 A3	19-10-00	PCT	x	
	EJ	WO 01/098339 A3	27-12-01	PCT	x	
	EK	WO 01/71042 A2	27-9-02	PCT	x	
	EL	WO 03/052076 A3	26-6-03	PCT	x	

EXAMINER

DATE CONSIDERED



Sheet 03 of 03

<p>Form PTO-1449 Modified List of Patents and Publications Cited by Applicant (Use several sheets if necessary)</p> <p>U.S. Department of Commerce</p>	<p>Docket No. DEX-0214</p> <p>Applicant Macina et al.</p> <p>Filing Date July 20, 2001</p>	<p>Serial No. 09/909,567</p> <p>Group 1631</p>
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U. S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

Examiner Initial		Document No.	Date	Country	Translation YES	NO
	EM	EP 1 033 405 A3	1-8-01	EPO	X	

EXAMINER

DATE CONSIDERED